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THE QUESTION OF AUTHORITY IN EARLY ENGLISH ETHICS.

IN the beginning of independent ethical thought, during the two centuries following the Reformation, its problem seems to have presented itself in a twofold manner, or to have been approached under two aspects. In the first place, after the individualism of the Renaissance, it was necessary to establish the existence of fixed and eternal laws of morality. The church was no longer the sufficient authority in morals; there was a demand for more than the word of some schoolman to settle questions of ethical principle. For the Protestant, the Bible was still sufficient in all practical matters; but in scientific circles the new spirit of inquiry could not be so easily satisfied. The Roman Church could point with much truth to the individualism consequent on the rejection of her authority, to which the wild license of some sects bore striking witness. In this emergency, the resource was ready at hand in the familiar conception of the Law of Nature, as the common law of humanity. The sixteenth and seventeenth centuries are filled with treatises in which this is the fundamental thought—a law natural to man, and binding upon him even apart from his knowledge of it as also imposed by God. Either as friend or foe it was distinguished from the divine law of revelation, which had its sanctions primarily in another life. The sanctions of the natural law were such as were discoverable in this life, and through unaided reason. The aim of the theory was to substitute a natural authority in place of that imposed by the church.

This was the purpose of all the great moralists down to the close of the seventeenth century. Hooker's aim was to show that the divine law is revealed not only in Scripture, but also through all the grades of nature. Ecclesiastical polity, therefore, is not bound down to the letter of the law, but can be

entrusted to the care of reason. There is a natural law which is also a spiritual. This law is not an arbitrary enactment, but a rule of fitness for the attainment of an end.¹ Hooker is thus the father of all that is best in later English rationalists. His system is the product of the best scholastic interpretation of Aquinas and Aristotle. It is objective and teleological. The question of obligation is not yet expressly raised.

So, too, with the Cambridge moralists. They can hardly be called modern thinkers, so much are they busied with the older problems of the Greek philosophy. They are intensely ontological. They look at the moral law as an order fixed in the nature of *things*, rather than as an order finding expression in the nature of man. Although their polemic against Hobbes forces them to examine the organ for knowing this law, and in so far to share the modern psychological tendency, yet in their ethics they remain Greek. Their subject is still the Good, not its obligation upon man.

The second aspect of the twofold problem of modern ethics was that which may be called the question of moral authority. It is by no means a distinct problem, but is the result of a deeper consciousness of the meaning of the earlier question. The independence of ethics had at first found expression chiefly in an appeal from revealed to natural law, without further inquiry as to the authority of the latter. In all the earlier moralists, reason had been presupposed as the complement of the objective order. The knowledge of the law had carried with it a natural tendency to its realization. Perhaps through the influence of a widely diffused, though largely unconscious, Stoicism, man had been conceived as essentially a rational creature. Reason was active in his life, and its headship was not yet disputed. It had not yet been identified with the understanding. This is clearly illustrated by Grotius's celebrated definition of natural law as "the dictate of right reason indicating that any act from its agreement or disagreement with the rational nature of man, has in it a moral turpitude or a moral necessity."

¹ *Ecclesiastical Polity*, bk. I, ii, 1.

So long as the belief either in the purely rational nature of man, or in the theological theory which formed the real support of most of these systems, lasted, the question of authority was not raised as a distinct problem. Yet the increasing skepticism of the seventeenth century could not but raise the issue. Deny the rational nature of man, or reduce the reason to a merely ratiocinative faculty, and the weakness of the old conception of natural law becomes at once apparent. Revise the optimistic psychology of Grotius, as was done by Hobbes, and his law loses its authority. The system of the former makes no provision against possible rebellion on the part of the non-social affections. The social tendencies as pure facts have no further claim to authority than that given by their actual predominance. The relative strength of the passions being altered, as is often the case, it is just as moral for the selfish tendencies to usurp the leadership. The fact must be *idealized* before it can assume authority over kindred facts. This idealization of the social factor in man was accomplished by Grotius through his latent theological belief. However strongly he may assert the purely naturalistic basis of his law, it is evident that its connection with the divine is that which gives it its show of authority.

Before considering the contribution which Hobbes made to the development of the problem, let us analyze more carefully its nature. A rough classification of the possible answers which may be given to the question, why the individual recognizes the moral law as binding upon him, gives us our first division into *psychological* and *non-psychological* theories. In the former class the moral law is grounded in the nature of the individual, not imposed upon him from without. It is in some way self-given or self-accepted. There is found some point of union between the individual and his moral environment, so that the latter is not regarded as anything foreign to the former.

This element, which represents the participation of the subject in the law, may be either emotional or rational. That is, the ego may identify itself and its interests with Pleasure,

considered either abstractly or as sense-pleasure, or with an ideal considered as representing an element more objective than pleasure, that is, with reason. The abstractness of these terms is fully justified by the variety of theories which they have been made to cover. Pleasure may be taken as the individual's own pleasure, or as that of all; we may have hedonism or utilitarianism. The force of the former theory has never been disputed. A rule of pleasure has for its basis an undoubted fact of human nature, and in so far its rationality has much to recommend it. It is a practical theory so far as the question of authority is concerned. Utilitarianism, however, so far as it is considered a *complete* theory, is untenable. It must rest its claim to validity either on hedonism or on some rational principle. That is, the individual can rationally seek the good of others only when his own pleasure is involved therein, or when he seeks it on some principle other than that of pleasure. The difficulties of an empirical proof of the identity of social and private pleasure, will almost inevitably lead to the assumption of a theory introducing, consciously or unconsciously, a factor more objective than any in hedonism.

The attempt to coördinate hedonism and rationalism as principles of authority is subject to serious objection. The meaning of the term 'authority' is distinct in the two cases. In the former it is used purely of a matter of fact. The law of pleasure can never be more than a statement of what is, and the nature of its authority is expressed in the psychological theory that all men, as a fact, do follow pleasure. If you can trace the connection of every moral act with some pleasure, you have a rule which, in all probability, will be followed, but not a rule which you can say, in any intelligible sense of the term, *ought* to be followed. There is nothing in pleasure, considered in its abstract reference to self, to carry one beyond the particular time, place, or person. As soon as it is elevated into an ideal, we have that stable and universal character which has been commonly assigned to the reason. No matter what the content of the ideal may be, its nature is wholly changed by this conscious adoption as an ideal of conduct. It matters not

whether this formal element be called reason, conscience, or moral sense, it represents a something pointing beyond the individual and his momentary feeling. The only point in common between an authority such as this, and that represented by pleasure, is that in both we find a motor force recognized by the individual. Pleasure actually does influence conduct, and the conscious adoption of an end by reason means just this, that the individual binds himself to its pursuit. The explicit adoption is but the expression of the devotion of the self to its ideals. Whether the feeling of obligation necessarily implies the recognition of a higher will to which the subject is bound need not be discussed here. The question of authority is settled by the *recognition* of the law.

The non-psychological theories of authority may be dismissed briefly. They are not properly theories of authority at all, in the sense in which that term is here used, but are rather theories which have been unconsciously used as substitutes for such by those who had not been roused to the existence of the problem. They are ontological or theological systems, and their authors have replied to the psychologists by reiterating the assertion of the existence of an objective order, either established in the existence of things, or dependent on the will or nature of God. These writers take no explicit notice of the subjective side of morality, in so far as it is concerned with the interest of the individual in the law, but look at the fixity of its contents, and, in their concern to guard it against the caprice of the individual, fail to show its authority over him.

That which renders such unconsciousness possible, is the dogmatic character of their philosophy, including its intellectualism. Their appeal is always to reason as against sense, but to reason in its revealing, not in its constitutive or practical character. That is, they lay the emphasis on the content of the rational ideas, rather than on the fact that these ideas are elements of the self. Consequently, not only are the latter open to skepticism as cognitive elements, but this skepticism also seems to involve their subjective value as regulative ideas

of conduct. The psychology of this school of intellectualists does not extend further than to show that man *knows* a system of objective relations called moral, but what it is that binds his actions to this known rule they do not examine. Morality, so far as it implies a reasoned feeling, or a feeling reason, or whatever other term best expresses the warmth of passion which man feels for his duty, was not known to this intellectual school. When sanctions were desired, appeal could be made to the rewards and penalties annexed to actions by the great Lawgiver. Yet in so far as these penalties are external, it is open to the subject to disobey on condition of taking the consequences, as J. S. Mill professed himself ready to do in defiance of an unjust Deity. The moral law, however, must be one so intimately connected with the nature of the self, that the subject may as well attempt to escape from himself as from it. That the *knowledge* of the law seems to be sufficient, is because there is implied in it a feeling of its value. It is tacitly assumed that value can be expressed in terms of knowledge, and described; that it is a relation between objects rather than between objects and a feeling self. These non-psychological systems, then, in so far as they touch the question of authority at all, must result in a hedonism like Cumberland's, or an unconscious rationalism like that of the Cambridge school.

When we apply this analysis to the interpretation of the early moralists, we see that the first period was taken up by the non-psychological systems. The traditional reverence for morality, born of the time when theology was its firm support, persisted after the power of the church had been shaken. Though freed from its dependence upon any one church or authoritative interpretation, ethics had not yet ventured to stand wholly on its own merits. The will or nature of God was still its basis, and a basis as yet unshaken by prevailing skepticism. Men descended from theology and metaphysics as the more sure, to ethics and conduct as the less firmly established. The external authority of the law had not yet been questioned enough to drive men back on their ultimate

certainty in consciousness. Hooker and his successors, the rational theologians of the next century, men like Hales, Chillingworth, and Taylor, were in the direct line of development from theology to psychology, by virtue of their reliance on the sole authority of conscience; yet their protest was made primarily against oppression theological rather than moral. They asserted freedom of conscience against authority in matters of belief, but did not raise the question of the ultimate authority of reason in matters ethical. Conscience was to them a revealer of an objective order. Yet the effect of this movement was to concentrate attention on the organ of belief, and gradually neglect its object. There was needed a scientific skepticism to effect the transition. A skepticism of this character, in a writer of an earlier age and another country, had already produced this result in a developed doctrine of conscience. Charron's advocacy of the primacy of reason and the independence of morality, is stronger and clearer than that of any other writer for at least a century after his time. His skepticism is such, however, and the need for veiling it so strong, that we are unable to determine exactly his position; yet there is no doubt that he makes man, and not his environment, the source of moral authority.

We might expect to find in Bacon another exception to the ontological tendency, but such is not the case. Bacon's experience-philosophy reaches no further than externals. Ultimates are his abhorrence. Everything of value or meaning is turned over to theology, and science is left with the mechanical. Hence the question of obligation goes the same road, and ethics as scientific has only the task of formulating rules for conduct, taking its ideals and its ground from the higher and unsearchable sphere.

It is not till we reach Hobbes that the gradually growing problem of authority definitely takes shape. It is a commonplace in the history of thought to say that the opposition to him shaped the character of all English ethical writing for a century; yet the nature of this influence has not always been clearly understood. Hobbes has been too often treated as the

expounder of a purely conventional system of morality, based on an absurd theory of human nature. The estimate of his opponents¹ has passed into history, and he is regarded as a modern Protagoras maintaining the relativity of all morality. Neither the Cambridge school nor Cumberland, nor even the moral sense writers, seem to have grasped the meaning of Hobbes' problem nor the strength of his solution. While he has given a clear-cut answer to the question of authority, they, with the exception of the aesthetic school, continued to force questions of metaphysics.

It is impossible here to do more than restate briefly the main points in Hobbes' system so far as they concern our special problem. The two main charges against him were that he made morality a thing of convention, and that he libeled human nature by calling it wholly selfish. Cudworth and the intellectualists brought the former charge; Cumberland and the moral sense writers, the other. The two points are so closely related that they may be best treated together by a short statement of Hobbes' position.

The basis for his ethics is his psychology. Man is conceived as a bundle of irrational appetites, the objects of which constitute his good. The motion transmitted through the senses to the heart is in some way transmuted into "Appetite or Aversion to or from the object moving. But the appearance or sense of that motion is that wee either call Delight or Trouble of Mind. This Motion, which is called Appetite, and for the appearance of it *Delight* and *Pleasure*, seemeth to be a corroboration of Vitall Motion, and a help thereunto. . . . *Pleasure* therefore (or *Delight*) is the appearance or sense of Good."² Hobbes has here carried his mechanical conception over from nature, attempting to explain the nature of man in terms of the persistence of force or motion. Self-preservation is thus the law of life, the Good being that which aids in this, and Pleasure its reflex and index. In his constructive work, however, pleasure is used interchangeably as the end and as

¹ Cudworth, *Eternal and Immutable Morality*, bk. I, ch. i, 4.

² *Leviathan*, pt. I, ch. vi, p. 37.

the result, the presence or absence of consciousness making little difference to Hobbes.

The problem before him now is, how can these atoms, each blindly seeking its own preservation, obtain the evident benefits arising from harmonious action? How can law be introduced among the lawless? His solution is the only one possible for his mechanical philosophy, to which the idea of organic development was foreign. The familiar contract theory was adapted by him to his purpose. In order to escape the evils consequent on the war of all against all, in which the life of no one was safe, each man agreed to give up all his natural rights to one person, on condition that every other should do the same. To this one person belong now the collective powers of the community, and from him must proceed all laws, moral and political. Against the sovereign the subject possesses no rights, save those the infringement of which would defeat the original end for which government was formed. Society and morality are thus the product of convention.

In spite of this fact, however, Hobbes holds firmly to the existence of natural laws, which are by no means superseded by those from the sovereign, and he gives a long list of such laws, corresponding roughly to those of ordinary morality. These he holds to be "immutable and eternall; for Injustice, Ingratitude, Arrogance, Pride, Iniquity, Acception of persons, and the rest, can never be made lawfull. For it can never be that Warre shall preserve life and Peace destroy it."¹ That is, they are the natural laws governing the best growth of the individual and society. Their infringement would result in loss and destruction to those subject to them. This conception of self-preservation as the supreme law of the individual is brought out again in Hobbes' definition of natural right, or *jus naturale*, as "the liberty each man hath, to use his own power as he will himselfe for the preservation of his own Nature; that is to say, of his own Life."² Not even in the state of nature is the individual's power unlimited. The laws

¹ *Leviathan*, pt. I, ch. xv, p. 119.

² *Ibid.*, ch. xiv, p. 96.

of nature are unchanging as the conditions of human nature, but not more so. Hobbes does not attempt to ground morality in anything more fixed than the nature of man, but this is far from being the uncertain thing that many of his critics seem to think it. The individual's caprice may change, but the conditions of his existence and happiness remain constant.

With these two rival authorities, natural and political law, there might seem the possibility of conflict. Hobbes provides against this by his distinction of obligation *in foro externo* and *in foro interno*. "The lawes of Nature oblige *in foro interno*; that is to say, they bind to a desire they should take place: but *in foro externo*; that is, to putting them in act, not always," for in lawless society the performance of a nice morality would bring about the destruction of him who practiced it. "The same Lawes, because they oblige only to a desire, and endeavour, . . . are easie to be observed. For in that they require nothing but endeavour, he that endeavoureth their performance, fulfilleth them, and he that fulfilleth the Law, is Just. . . . Now the science of Vertue and Vice is Morall Philosophie, and therefore the true Doctrine of the Lawes of Nature, is the true Morall Philosophie."¹ The laws of society are thus of secondary importance for ethics, regulating as they do merely external conduct, and not internal virtue. Yet they are of importance as furnishing the stable conditions which alone make it possible for morality to externalize itself in conduct. They preserve that peace which guarantees the safety of the individual in moral action. Their observance externally, therefore, becomes also a part of moral conduct. But it is necessary to remember that society is the source of moral law only in the sense that it is the *condition* of its external observance.²

¹ *Leviathan*, I, chap. xv, pp. 120, 121.

² In a recent number of the *Philosophical Review* (May, 1895, pp. 270-272) Dr. Albee charges Hobbes with self-contradiction on this point. His interpretation rests on the common supposition that Hobbes intends his natural and civil laws to answer the same purpose—to serve as police regulations for society. On the contrary, these two sets of laws are in force in mutually exclusive spheres. Natural law furnishes the norm for positive law, but is of avail outwardly only in

It is unnecessary, as well as impossible here, to enter into detailed proof of this interpretation of Hobbes' doctrine on these points, or to reconcile all the inconsistencies in his form of statement. Not only does his fearful nature keep him from a too free expression of his views, but his own thought is by no means clear. Yet his position in regard to the charge brought against him by the Intellectualists of his day, and repeated by many at the present time, is perfectly clear. Hobbes does not make morality a thing of convention, but grounds it on the necessities of human nature. In spite of his language, his position shows a truer confidence in man than does that of his opponents. Out of his own needs and struggles, man has come to the knowledge of the moral law. It does not rest on a far off or external authority, but is rooted in his own being, from which it is impossible to escape. To change it, human nature itself would have to be changed. Its arbitrariness is only in externals, since the power of the arbiter rests in turn on the laws of human nature.

The question of authority, moreover, is clearly settled. Hobbes' theory, whatever be our interpretation of it, belongs to the psychological systems. The laws of nature are binding, either as those which preserve the organism, or as those which produce pleasure. If Hobbes had developed the implications of the former view, one which is really more consonant with his system, he would necessarily have been led out of his narrow individualism, but either from his observation of men, or from the prevailing scientific tendency of his time, he is more apt to express himself hedonistically. Both the laws of nature and those of society are obeyed as conducive to pleasure. The contents of those laws are determined for the subject, but he has a voluntary interest in their observance.

The most questionable element in Hobbes' system, then, is not its supposed conventionalism as attacked by Cudworth, but so far as the evils of society admit. Positive law is the sole standard of *external* conduct. We learn what is just and true from the powers that be, but what in turn guides these? Not pure chance, but, theoretically at least, those principles of social self-preservation in accordance with which they themselves were first constituted authorities. Hobbes' ethical system ceases where his political begins.

rather its defective conception of the nature of the self, as pointed out by Cumberland and the moral sense writers. The human nature in which Hobbes vests the authority of moral law, is shewn to be defective and partial in that it contains no recognition of the social impulses in man. Man does not always act from a regard to selfish pleasure, they claim, but has altruistic impulses which are as natural as the selfish. The existence of these was demonstrated beyond question in the half century following the publication of the *Leviathan*, and a deal of acute and profitable psychological analysis was called out, yet without touching the position held by Hobbes. The very repetition of the attacks proved that their authors were not quite certain of their success. After all the fine writing, and after the most complete demonstration of the social nature of man, when they come to ask the question, "Why then does man obey the law?" their answer is, "Because of the resultant pleasure either in this life or the next."

This is the meaning of Cumberland's definition of natural law as "a practical proposition with rewards and punishments annexed, promulgated by competent authority."¹ So, too, his appeal to the will of God is made in order to render our happiness more sure, as when he says that obligation arises from our discovery that the laws of nature are from God, "upon whose pleasure depends the whole happiness of all, and consequently our own, concerning which we are naturally most solicitous."² This is also the reason for the unexpected change of front in Shaftesbury's *Enquiry*, when, having made the nature of virtue to consist in disinterested affection toward the good of the whole, or in the just balance of the selfish and social affections, he opens the second book with the query as to "what obligation there is to virtue; or what reason to embrace it?" So far as virtue is considered as the result of merely actual tendencies in human nature, considered as facts, its authority or obligation must be sought beyond those facts in order to give them the preëminence necessary to morality.

¹ *De Legibus Naturae*, p. 14.

² *Ibid.*, p. 272.

This Shaftesbury feels, and attempts to meet by showing the necessary connection of the happiness of the individual with that of all; that is, he falls back on hedonism. But he knows Aristotle too well to propound a passive hedonism such as that of Hobbes. A careful examination of his fundamental principles, especially in his less well-known works, *The Moralists*, and the *Essay on the Freedom of Wit and Humour*, will show that he purposes to make a distinction in the *quality* of pleasures, and that the question was not "who loved himself, or who not; but who loved and served himself the rightest, and after the truest manner."¹ His central thought is that of the universe as a spiritual organism in which each member has a vital interest in the good of the whole. This principle, if carried out consistently, would have carried him beyond the abstract individualism and hedonism of his age, but the time had not yet come when the value of consciousness could be justly appreciated. Shaftesbury remains in his half-way position, scorning Hobbes, yet unable consciously to pass beyond him.

To recapitulate, then: this problem of authority, which was the burning question for the sixteenth and seventeenth centuries, was answered with any degree of clearness by Hobbes alone. However much we may despise his character, reject his psychology, or undervalue his ethics, we must admire the consistency and clearness of his thought in comparison with that of his critics. Had the lesson of his philosophy been taken to heart by those who are his legitimate successors, we should have had fewer attempts to make the impossible passage from the pleasure of one to that of all by a bridge no longer than that of feeling. His weakness, like that of his contemporaries and successors for a century to come, was in his failure to realize the meaning of consciousness, as seen in the constant confusion of fact with consciousness of fact, and of instinctive tendency with conscious purpose. The result was a knowledge without reality, and a morality without ideals.